August Gugelmann, SBN 240544 1 SWANSON & McNAMARA LLP 300 Montgomery Street, Suite 1100 2 San Francisco, California 94104 3 Telephone: (415) 477-3800 Facsimile: (415) 477-9010 4 Attorney for ANDONY GALEANO 5 6 UNITED STATES DISTRICT COURT 7 NORTHERN DISTRICT OF CALIFORNIA 8 9 10 UNITED STATES OF AMERICA, Case No. CR 17-0374 JD 11 Plaintiff, STIPULATION AND [PROPOSED] **ORDER TO CONTINUE** 12 vs. 13 ANDONY GALEANO, 14 Defendant. 15 16 Defendant Andony Galeano and the United States hereby stipulate and agree as follows: 17 1) The parties are scheduled to appear for a status conference on October 25, 2017 at 18 10:30 a.m. 19 2) The parties have met and conferred. Mr. Galeano anticipates entering an open 20 21 plea at the next calling of the case. In addition, the defense will request that Mr. Galeano be 22 referred to Pretrial Services for assessment of his suitability for the Conviction Alternatives 23 Program. Pretrial services has conducted a preliminary screening and has found that he may be a 24 suitable candidate for CAP. Defense counsel will continue to review the evidence with Mr. 25 Galeano as he weighs his options in terms of how to proceed in this case, including by way of 26 27 plea agreement or the presently anticipated open plea. 28

- 3) The parties request that the status conference on October 25 be vacated and that the matter be set for change of plea on November 8, 2017 at 10:30 a.m. The Court informed the parties that November 8, 2017 is the Court's next available date for the anticipated change of plea.
- 4) The parties agree that the ends of justice served by excluding time between October 25, 2017, and November 8, 2017 under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial and agree that time should be excluded for effective preparation of counsel pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO STIPULATED.

Dated: October 23, 2017

/s/

August Gugelmann SWANSON & McNAMARA LLP Attorney for Andony Galeano

/s/

Thomas R. Green Assistant United States Attorney

## **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The status conference is continued to November 8, 2017 at 10:30 a.m. The Court finds that the ends of justice served by excluding the time between October 25, 2017, and November 8, 2017, outweigh the best interests of the public and the defendant in a speedy trial and therefore ORDERS that time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: 10/23/17

Hon. James Donat

United States District Court